witnesses. These were not put on oath, but could be informally cross-examined by anyone present. The spectators took part in the trial and their attitude had considerable influence on the *Kadendriwa*'s decision, which was final. I was unable to learn how the awards of the court were enforced. There seems to have been no special machinery for this, the pressure of public opinion being sufficient.

Criminal cases dealt with theft, very rarely murder, and witchcraft. Theft was a very serious offense and the thief, if caught in the act, might be killed out of hand. Suspects were tried by the village chief and *Pakendriwa*. They were not allowed representation by counsel and the proceedings seem to have been less formal and more heated than in civil cases. Witnesses were called when possible, but a thief might be convicted on circumstantial evidence alone. If found guilty he was forced to make full restitution and would usually be badly mauled by the spectators and jeered at for a long time afterward. If accused of a second or third offense, the thief would be sent to the *Kadendriwa* of the gens for judgment. The official might fine him to the extent of his property, or have him beaten, or both, but apparently he could not order him sold into slavery, or officially sentence him to death. However, if the culprit died as a result of the beating no one was held responsible. A criminal might appeal from the judgment of the *Kadendriwa* to that of the king, but this was not encouraged. An old offender who did so was likely to be brought to bed, with the explanation that he had tried to escape from his guards on the way. If he reached the king, the case was held before the *Kadendriwada*, who made a thorough investigation and then submitted it to the king with a recommendation. The king's judgment was final, and if the accused appealed unjustly he was fined as for contempt of court. The fine went to the king, as did any other fine levied by him. In most places only the king had the right to pronounce sentence of death.

Murder was so rare that I could learn nothing of the procedure except that the murderer would seek asylum with the king, who would sentence him to death.

Although the fiction behind the exaggerated fear of witchcraft, which is present in many African tribes, they believed that there were certain persons, called *wyamwezy*, who caused illness and death by magical means. This was the most serious of all offenses, being considered the equivalent of wholesale murder. An *wyamwezy* always

687 699 lost to be denounced to the authorities by some individual who thereby assumed responsibility. In order that such charges should not be brought casually or without good cause, the accuser was fined a large fee or if the accused established his innocence. This ox was killed and its meat distributed, most of it going to the accused as indemnity.

698 Suspected supernatural, unless their guilt was unquestionable, were subjected to some form of ordeal, i.e., trial by ordeal. Three forms of this were in use. Two of them, which were not fatal, were also employed for the detection of thieves, although only when the evidence seemed overly balanced and ordinary procedure had failed.

[illegible]

Sibree describes the ordeal as follows: "The commonest and worst form is called *sokita-fy*. One heats a flat piece of iron, usually a spade, red hot. The *Fandroahana* examines the tongue of the accused and exercises him to make sure he has no charms concealed on his person. He then invokes the *Zanahary* and all the ancestors of the chief, asking them to assist at the ceremony. He asks them to punish the accused severely if he is guilty and to prevent his injury if he is innocent. The *Fandroahana* then picks the iron out of the fire with a pair of tongs and holds it before the victim at a moderate height. The latter opens his mouth and licks it once. After this he is placed in a house and closely guarded. The next day he is brought out and his tongue examined. If there are burnings or suppurations he is guilty, and the chief condemns him to death or to a fine according to the gravity of his offence.

"*Mangorin-drano*.—Water was boiled in a large pot and a stone fastened to a cord, like a plumb-line. The stone was dropped vertically into the pot, but was not submerged. The cord was attached to a stick which rested across the mouth of the pot so that the stone being above it was above the water. The suspect's hand was washed and examined to see whether he had any cuts in it, also whether it had been rubbed with medicine. After the *Fandroahana* had made the usual invocation, the accused approached the pot and seized the stone from below, plunging his hand into the boiling water. He then plunged his hand into cold water. The hand was bandaged and the accused shut up in a guarded house. The next morning all assembled to see his condition. If there were blisters on the hand he was guilty. If accused of sorcery he was killed on

who are professional sorcerers, working evil especially for the gain they derive from it. Both persons are called nyamsang and are universally feared and hated, although the practice of sorcery is confined. Apparently nyamsang have become much more numerous since the Lhotsa conquered the Tamala and many informants denied that they existed prior to the conquest. There may be some truth in this, for stories told of their exploits are very much like those told by the Lhotsa about their own sorcerers.

The nyamsang, who may be either men or women, are no content to injure their enemies by charms. They steal out of their houses at night, made savage by a white lamba which is wrapped around the head like a turban. They go to tombs, especially shortly after a burial, and dance there, rejoicing. This strengthens the influences which have caused the death and brings about the death of others. They rob tombs, carrying off valuables deposited with the dead and eating bones and parts of bodies, which are used to concoct evil charms. During my stay an nyamsang stole a skull from a tomb and placed it in the middle of the village square, where it was found next day. The natives were too terrified that one might have suspected and one of the men whose duty it was to shift old bodies at a burial gathered it up without ceremony, wrapped it in a lamba and took it back. There were no ceremonies for purification or to avert evil and within a week the incident seemed to have been forgotten.

When sorrow in the village is ill, the nyamsang will come out and cry outside the house at night, mourning as if he were already dead. This strengthens the evil influences and makes the person die. They also scratch at doors and windows, terrifying persons in the house and acting as though they wished to break in, although they never enter. Sometimes they ride cattle until the cattle are exhausted, break down fences and do other serious damage. Although they are greatly feared, they have no power to injure a person who confronts them boldly and several informants expressed a wish to encounter one. The reason for this was that, as the punishment for the crime was death, if one captured an nyamsang one could demand a huge sum for releasing him and concealing his identity.

Tamala nyamsang apparently are solitary, not operating in organized groups like those of the Lhotsa. Several informants expressed the belief that a person might be an nyamsang without knowing it himself, citing instances. Such a person would be forced to become one by the power of some evil charm. There seemed to